

The Federal Bureau of Investigation and the Joint Service: Dispelling the Department of Defense Groupthink About the Interagency Process

CSC 2005

Subject Area DOD

---

---

***TITLE:***

**The Federal Bureau of Investigation and the Joint Service:  
Dispelling the Department of Defense Groupthink About the  
Interagency Process**

**AUTHOR:**

**Supervisory Special Agent James E. Ammons  
Federal Bureau of Investigation**

**AY 2004-05**

---

---

Report Documentation Page				Form Approved OMB No. 0704-0188	
Public reporting burden for the collection of information is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Washington Headquarters Services, Directorate for Information Operations and Reports, 1215 Jefferson Davis Highway, Suite 1204, Arlington VA 22202-4302. Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to a penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number.					
1. REPORT DATE <b>2005</b>		2. REPORT TYPE		3. DATES COVERED <b>00-00-2005 to 00-00-2005</b>	
4. TITLE AND SUBTITLE <b>The Federal Bureau of Investigation and the Joint Service: Dispelling the Department of Defense Groupthink About the Interagency Process</b>				5a. CONTRACT NUMBER	
				5b. GRANT NUMBER	
				5c. PROGRAM ELEMENT NUMBER	
6. AUTHOR(S)				5d. PROJECT NUMBER	
				5e. TASK NUMBER	
				5f. WORK UNIT NUMBER	
7. PERFORMING ORGANIZATION NAME(S) AND ADDRESS(ES) <b>United States Marine Corps,Command and Staff College, Marine Corps Combat Development Command,Marine Corps University, 2076 South Street,Quantico,VA,22134-5068</b>				8. PERFORMING ORGANIZATION REPORT NUMBER	
9. SPONSORING/MONITORING AGENCY NAME(S) AND ADDRESS(ES)				10. SPONSOR/MONITOR'S ACRONYM(S)	
				11. SPONSOR/MONITOR'S REPORT NUMBER(S)	
12. DISTRIBUTION/AVAILABILITY STATEMENT <b>Approved for public release; distribution unlimited</b>					
13. SUPPLEMENTARY NOTES					
14. ABSTRACT					
15. SUBJECT TERMS					
16. SECURITY CLASSIFICATION OF:			17. LIMITATION OF ABSTRACT <b>Same as Report (SAR)</b>	18. NUMBER OF PAGES <b>57</b>	19a. NAME OF RESPONSIBLE PERSON
a. REPORT <b>unclassified</b>	b. ABSTRACT <b>unclassified</b>	c. THIS PAGE <b>unclassified</b>			

## **DISCLAIMER**

THE OPINIONS AND CONCLUSIONS EXPRESSED HEREIN ARE THOSE OF THE INDIVIDUAL STUDENT AUTHOR AND DO NOT NECESSARILY REPRESENT THE VIEWS OF EITHER THE MARINE CORPS COMMAND AND STAFF COLLEGE OR ANY OTHER GOVERNMENTAL AGENCY. REFERENCES TO THIS STUDY SHOULD INCLUDE THE FOREGOING STATEMENT.

## **EXECUTIVE SUMMARY**

**Title:** The Federal Bureau of Investigation and the Joint Service: Dispelling the Department of Defense Groupthink About the Interagency Process

**Author:** Supervisory Special Agent James E. Ammons  
Federal Bureau of Investigation

**Thesis:** The Federal Bureau of Investigation has emerged as an integrated joint force enabler in the absence of Goldwater Nichols type legislation.

**Discussion:** The Nation's need for joint military operations was identified and mandated through the passage of the Goldwater Nichols Department of Defense Reorganization Act of 1986. Over the nineteen-year lifespan of Goldwater Nichols, the Department of Defense has developed and educated officers who are the operational planners of today and who have only known the joint approach. These same military officers are also embroiled in a massive military effort to combat the terrorist organizations which threaten the security of the United States. While the strategic need for joint action in the Global War on Terror (GWOT) is not a topic that requires debate, the primary question is whether or not the efforts of the United States Government have been adequately integrated without legislation requiring sweeping changes.

If one were to accept the argument that the United States Government needs a Goldwater Nichols Act for the interagency process, one would then have to consider what the legislation would look like in order to integrate joint planning and budgeting over the entire Executive Branch. This legislation must address how 151 Executive Branch agencies such as the Environmental Protection Agency, the Federal Bureau of Investigation, and the Department of Education, would coordinate their policy, mission requirements, program development, budgeting, information technology, goals, procurement, and objectives annually. The key to the effectiveness of Goldwater Nichols is that the act focused specifically on the Department of Defense and most importantly, it empowered Congress with the budgetary control to mandate compliance.

The requirements for interagency cooperation that the Department of Defense laments over were identified and acted upon by previous United States administrations. Through a series of National Security Presidential Directives, National Security Decision Directives (NSDD), Presidential Decision Directives (PDD), and Homeland Security Presidential Directives (HSPD) the potential legislative quagmire was avoided and the seeds of interagency cooperation were sown. In addition, the governmental failures which facilitated the terrorist acts of September 11, 2001, have also been analyzed by the National Commission on Terrorist Attacks Upon the United States (The 9/11 Commission). Based upon the Commission's recommendations, the government of today is strikingly different from the one that was operating on 10 September 2001.

The primary example that will be used to prove there are indeed joint efforts underway will focus on the FBI, and this agency's adaptation to the expanded role within the Global War on Terror. Specifically, how the FBI has recognized the need to conduct joint operations outside of legislative mandates and the successes these joint operations continue to produce.

The FBI has a long tradition of working collaboratively with other agencies at all levels. Compared to any of the military services, the FBI is a small agency with an expansive mission that recognizes the need to engage federal, state, local, tribal, and private sector partners to achieve a unity of effort and decisive actions. As a result of the terrorist events of September 11, 2001, the Federal Bureau of Investigation has emerged as an integrated joint force enabler in the absence of Goldwater Nichols-type legislation. The FBI is unique in the fact that unlike other agencies within the United States government, the FBI is the only law enforcement agency that has the authority, detailed within the United States Code and through Presidential Decree, as well as the operational reach to conduct terrorist-related investigations throughout the world. Through the use of National Security Presidential Directives, National Security Decision Directives, Presidential Decision Directives, and various statutory authorities the FBI has enhanced its capabilities as a joint enforcement agency.

There is a general consensus among military personnel, as depicted in their speech and writings, that the interagency process is broken. One interpretation as to why the FBI's transformation has been overlooked by the Department of Defense can be attributed to the hierarchical nature and isolated culture of military service that makes it susceptible to the

effects of Irving Janis' theory on the Groupthink dynamic. Groupthink is a process that occurs when a dominant figure within a group or organization proposes a point of view or opinion, which may be inaccurate. Due to the group's perception that the dominant figure's points are accurate, these potentially inaccurate views or opinions are incorporated by the organization as a whole. Staff Officers from the military services must be influenced to break this tendency toward insularity and engage in an educational pursuit to evaluate and overcome this bias so that the security of the United States can be achieved and not merely debated.

Consistent with the Goldwater Nichols model of educating the joint service, civilian and military leaders should expand their own education by grasping today's lessons of life. Each group or unit brings to the fight its unique capabilities, language, culture, and strengths. Just because the unit does not possess the full capabilities or resemble the joint force they should never be dismissed or excluded from the fight. The leader's job is to find the task that permits the unit to excel and, in turn, relieve the burden imposed upon other forces.<sup>1</sup>

---

<sup>1</sup> Craig Huddelston, Colonel USMC, lecture presented to the students and staff of the USMC Command and Staff College, Quantico, VA 13 January 2005.

## *Table of Contents*

	<i>Page</i>
DISCLAIMER.....	1
EXECUTIVE SUMMARY.....	2
CHAPTER 1 - INTRODUCTION.....	6
CHAPTER 2 - JOINTNESS EXPLORED.....	9
CHAPTER 3 - THE FBI AND A HISTORY OF JOINT OPERATIONS.....	20
CHAPTER 4 - THE INTERAGENCY PROCESS.....	31
JOINT PROFESSIONAL MILITARY EDUCATION .....	34
GROUPTHINK .....	36
CHAPTER 5 - THE ROAD AHEAD: RECOMMENDATIONS.....	42
APPENDIX A - FBI JOINT OPERATIONS CENTER AND THE NATIONAL RESPONSE PLAN JOINT FIELD OFFICE .....	50
FIGURE 1 .....	51
FIGURE 2 .....	52
FIGURE 3 .....	53
BIBLIOGRAPHY.....	54

# Chapter 1

*The joint force, because of its flexibility and responsiveness, will remain the key to operational success in the future.*<sup>2</sup>

## Introduction

The Nation's need for joint military operations was identified and mandated through the passage of the Goldwater Nichols Department of Defense Reorganization Act of 1986, hereafter referred to as Goldwater Nichols. Over the nineteen-year lifespan of Goldwater Nichols, the Department of Defense has developed and educated officers who are the operational planners of today and who have only known the joint approach. These same officers are witnessing our country's failures, response, and transformation after the events of September 11, 2001 and clamor for similar legislation that will mandate the unification of command and effort of their civilian counterpart.<sup>3</sup>

---

<sup>2</sup> United States Congress, "Goldwater Nichols Department of Defense Reorganization Act of 1986", online edition (Washington, DC: National Defense University Library), URL: <<http://www.ndu.edu/library/goldnich/goldnich.html>>, accessed 30 December 2004.

<sup>3</sup> Lt Col Guillermo Birmingham, USAF, CDR Luann Barndt, USCG, and MAJ Thomas Salo, USA, *Achieving Unity of Effort: A Call for Legislation to Improve the Interagency Process and Continue Enhancing Interservice Interoperability so All May Labor as One*, Unpublished research paper. (Norfolk, VA: Joint Forces Staff College, 18 September 2003), 1.



While the strategic need for joint action in the Global War on Terror (GWOT) is not a topic that requires debate and will be conceded from the beginning of this paper, the primary question is whether or not the United States Government's actions have been integrated without legislation requiring sweeping changes.

This paper will show that as a result of the terrorist events of September 11, 2001, the Federal Bureau of Investigation has emerged as an integrated joint force enabler even in the absence of Goldwater Nichols-type legislation. The primary example that will be used to prove there are indeed joint efforts underway will focus on the FBI, and this agency's adaptation to the expanded role within the Global War on Terror. Specifically, the focus will be on how the FBI has recognized the need to conduct joint operations outside of legislative mandates and the successes these joint operations continue to produce.

This paper will also discuss the challenges in legislating joint requirements for the vast number of United States Government agencies as well as the obstacles that must be overcome to integrate the priorities of the Department of Defense and the various Federal, state, local, and tribal agencies. Finally, this paper will discuss how the widespread notion within the military that the interagency process is in

need of a Goldwater Nichols mandate is the result of groupthink,<sup>4</sup> which could easily be dispelled by better cross-cultural awareness of the Department of Defense and the other agencies.

---

<sup>4</sup> Wikipedia Encyclopedia. Online edition, under "Groupthink, Irving Janis." accessed on Adelphia.net, 13 January 2005.

## **Chapter 2**

### **Jointness Explored**

This chapter will first examine the catalyst for change in the Department of Defense and how this colossal task was achieved through the passage of the Goldwater Nichols Act. This portion of the paper will also evaluate the basis for the recommendation from the military services that the civilian agencies are in need of a similar legislation to compel a unified effort. As to the need for a civilian Goldwater Nichols Act, the scope of such an endeavor will be considered along with the primary question of whether or not such legislation would be redundant in light of the Presidential Directives which mandate exactly the same collaboration within the Executive branch.

The Goldwater Nichols Act significantly changed the way in which the uniformed services planned and budgeted for the future. This act sought to end inter-service rivalries of the previous decades and defined an explicit directive to integrate and to plan cooperatively a new vision of the military. This reform, however, was accomplished with a single piece of legislation enacted by a legislative body that was also capable

of affecting the fiscal future of the single government department it wished to change. In addition, the Secretary of Defense was in the chain of command for four of the five affected services (apart from the Coast Guard), enabling the act to be implemented from a central point down.

If one were to accept the argument that the United States Government needs a Goldwater Nichols Act for the interagency process, one would then have to consider what the legislation would look like in order to be able to integrate joint planning and budgeting over the entire Executive branch. The initial bill would need to address how 151 Executive branch agencies, from a broad spectrum, such as the Environmental Protection Agency, the FBI, and the Department of Education, would coordinate their policy, mission requirements, program development, budgeting, information technology, goals, and objectives annually. One can imagine the rancorous debate within the Houses of Congress that would take place to draft such legislation, so that negotiations could take place between the legislative staffs, and culminate in a compromise bill accepted by both houses and parties. This effort would easily transcend the terms of most, if not all members of Congress, considering that even the much simpler Goldwater Nichols Act evolved over four sessions of Congress. The undertaking of a non-military Goldwater Nichols Act mandating unity of effort and

integration of the various agencies would not only be a tremendous expenditure of time but a redundant one considering that various Presidential and National Security Council directives are in place which require that Executive branch agencies operate in just such a manner.

The need for interagency cooperation was already identified by previous United States administrations as a concern. Through a series of National Security Presidential Directives, National Security Decision Directives (NSDD), and Presidential Decision Directives (PDD), the potential legislative quagmire that was described earlier was avoided and the seeds of interagency cooperation were sown. Unlike the case for the military, these directives were issued to civilian political appointees and were not tied to a budget. Therefore, the directives did not motivate the recipients to cast aside their "rice bowl" mentality and pursue a unified effort, fearing that another agency might gain the praise or funding for a job well done. The FBI is unique in the fact that unlike other agencies within the United States government, the FBI is the only law enforcement agency that has the authority, detailed within the United States Code and through Presidential Decree, as well as the operational reach to conduct terrorist-related investigations throughout the world. Therefore, since the FBI stands alone within this jurisdictional climate, the "rice bowl"

issues were minimized. Although it would be naive to believe that parochial resistance was eliminated completely, the FBI viewed the NSDDs and PDDs as tools to enhance the Bureau's capabilities as a joint enforcement agency.

In 1986, the same year that the Goldwater Nichols Act was being finalized by the 100<sup>th</sup> Congress, NSDD-207 was issued; it addressed the coordination within the United States Government in response to a terrorist incident.<sup>5</sup> The first part of the document established the FBI as the lead federal agency for terrorist incidents, which may occur internationally, domestically and on board an aircraft. The second portion of the directive outlined how the full power of the United States Government would be brought to bear through the Terrorist Incident Working Group (TIWG) and the Interdepartmental Group on Terrorism (IG/T).<sup>6</sup> The TIWG and the IG/T were standing committees within the National Security Council framework which were empowered by NSDD-207 to coordinate:

The entire range of diplomatic, economic, legal, military, Para military, covert action, and informational assets at our [the United States'] disposal...against terrorism.<sup>7</sup>

The key wording within NSDD-207 that highlights the joint nature of the directive is the provision for the National Security

---

<sup>5</sup> U.S. President. National Security Decision Directive Number 207, "The National Program For Combatting Terrorism" Presidential Decision Directive 207, 20 January 1986, pg 2.

<sup>6</sup> U.S. President. National Security Decision Directive Number 207, pg 3. The TIWG and IG/T are groups developed to assist and advise the National Security Council and the President.

<sup>7</sup> U.S. President. National Security Decision Directive Number 207, pg 3

Council's use of fully integrated and mutually supportive efforts in coordination with the lead federal agency.

In 1995, President William Clinton signed PDD-39, which reinforced the roles of the FBI and other lead agencies as they apply to terrorism and defined how the interagency response to a domestic or international terrorist event would assist these elements of the government through the emergency support teams. Specifically, the State Department would administer and deploy the Foreign Emergency Support Team, while the FBI would be responsible for the Domestic Emergency Support Team. These teams are pre-defined interagency groups, staffed with subject matter experts, who are capable of deploying throughout the world in support of the lead agency identified in the various directives.

In May 1998, President Clinton also signed PDD-63, which expanded the terrorist threat to include national infrastructure targets such as banking, pipelines, and cyber networks. Once again, the lead federal agencies were reinforced and in this instance the FBI's special functions were defined as law enforcement and internal security. The PDD also mandated that the FBI expand the National Infrastructure Protection Center as the nation's primary threat assessment, warning, vulnerability,

law enforcement investigation, and response entity.<sup>8</sup> The PDD also explicitly stated that:

All executive departments and agencies shall cooperate with the NIPC [National Infrastructure Protection Center] and provide such assistance, information and advise that the NIPC may request, to the extent permitted by law.<sup>9</sup>

While PDD-63 may resemble the previously issued directives of the President of the United States and the National Security Council, PDD-63 is extremely significant in considering the interagency migration toward unity of command and effort. PDD-63 was the first time a Presidential Directive specifically stated that a domestic government agency, at the direction of the President of the United States, could be placed in a direct support role to either the Department of Defense or the Intelligence Community. On the surface, this might not sound like an earth-shattering development, but when one considers that PDD-63 is a directive that encompasses private infrastructure operators, public agencies at the state and local level, as well as international public and private cooperation, the order appears to be a very ambitious attempt at jointness.

The preceding directives specifically address the intent of United States policy, command relationships, principal goals, and the integration and cooperation among the participants.

---

<sup>8</sup> U.S. President. Presidential Decision Directive/NSC-63, "Critical Infrastructure Protection," 22 May 1998, pg 9. URL: <http://www.fas.org/irp/offdocs/pdd/pdd-63.htm> accessed 30 April 2005.

<sup>9</sup> U.S. President. Presidential Decision Directive/NSC-63, pg 5



This presents a very interesting parallel with the mandates outlined within the Goldwater Nichols legislation for jointness among the services.

The NSDDs and PDDs outlined above were issued prior to September 11, 2001. Each emphasized cooperation, delineated the authority to act, and outlined the need for the agencies of the Executive Branch to support the lead federal agency to the fullest extent the law would permit.<sup>10</sup> In some cases, the directives appointed Directors or Chairpersons to manage the efforts and report to the President through the National Security Council and the Assistant to the President for National Security Affairs. However, not until the issuance of a series of Homeland Security Presidential Directives (HSPD) did the interagency cooperation process take shape by elaborating how the effort would be implemented. Specifically, HSPD-5 defined the integrated roles of the Federal, state, local and tribal agencies and how these levels of government integrate into the individual tasks of intelligence, enforcement, reporting, security, and consequence management with respect to Homeland Defense. This directive, coupled with the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (USA PATRIOT Act),

---

<sup>10</sup> The use of "to the extent that the law permits" within the National Security Decision Directives and Presidential Decision Directives were a result of previously enacted legislation which erected a barrier between the passage of intelligence between the Law Enforcement community and the Intelligence Community.

eliminated some of the barriers between the enforcement and intelligence communities, and enabled interagency cooperation. An interesting result of this rapid transition to cooperation among the agencies is that those outsiders who have busied themselves with the task of finger pointing and lamenting over the lack of jointness have missed the evolution within the government. For example, *The 911 Commission Report*, published almost three years after the terrorist attacks in New York, Washington DC, and Pennsylvania, still proclaims the need for joint action and unified effort, ignoring the progress that had already been made in this arena. Insiders, from the agencies that are criticized in the 911 Report, for their part find that the commission's recommendations have already been implemented at varying levels.<sup>11</sup> One example of this is the Commission's recommendation that a National Counter Terrorism Center be established, although the relevant agencies - CIA, FBI, and DHS - already staffed such a center on a full-time basis.<sup>12</sup> The Center came into existence immediately just by renaming the Terrorist Threat Integration Center, a joint counter terrorism effort which had been established earlier by the CIA, FBI and

---

<sup>11</sup> The author has conducted a considerable number of interviews with multiple agency employees and the results form the basis for this term Insider. A list of interviews is located within the reference section of this document.

<sup>12</sup> U.S. Congress, The National Commission on Terrorist Attacks Upon the United States, *The 9/11 Commission Report* (New York, NY: Norton, 2004), 403.

DHS utilizing the authority in the various NSDDs, PDDs, HSPDs, and the USA PATRIOT Act.

This is in no case an argument that all has been fixed within the interagency process. Goldwater Nichols, for its part, has not completely transformed the Department of Defense. The point is that the challenges that remain can and will be resolved without the lengthy process of a Goldwater Nichols II. One such challenge is the significant frustrations that remain within the intelligence community concerning terrorist-related analysis functions. As pointed out in the 911 Report, fragmented duplications of efforts continue and the reason for this duplication once again boils down to money, not the lack of funding but the potential loss of funds by an agency or department not designated as the lead agency for the task. One specific section within the 911 Report points out that the CIA holds the primary responsibility for the analysis of terror-related intelligence.<sup>13</sup> However, that agency still maintains a separate Counter Terrorism Center, which had operated prior to the events of September 11, 2001, and, if consolidated in accordance with the definition of the NCTC, as prescribed within the 911 Report, this would potentially jeopardize the agency's staffing level and funding. The Department of Homeland Security did not exist prior to September 11, 2001, and yet this agency,

---

<sup>13</sup> U.S. Congress, 9/11 Report, 401

which has been designated to lead the effort to gain the full support and cooperative efforts of the various agencies, also maintains a separate analysis center. The third element of the duplication of effort is the supposed model of unified effort in the government. That is, the Department of Defense also operates a counter terrorism analytical unit within the Defense Intelligence Agency. This is all very interesting considering that under executive and legislative mandates, it is the CIA and the FBI which are charged with the collection of foreign and domestic intelligence, respectively, and, assuming that no government agency is collecting intelligence outside of the legal parameters, it would be difficult for a stand-alone counter-terrorism analysis unit to develop a complete analytical picture of the problem. For instance, terror networks are transnational in scope and these networks are operating at some degree within the United States. The Department of Defense would be acting outside of its charter if it were to independently collect intelligence on the populace of the United States. Therefore, for intelligence cycles to function properly, the agency must possess the ability to actively collect and analyze information, generate and disseminate intelligence products and finally redirect collection efforts to fill gaps in the intelligence holdings. If by law an agency cannot actively collect intelligence, the analysis center is

relegated to the regurgitation of previously analyzed intelligence, which may or may not contain all the relevant pieces of information.

Even with these challenges, the FBI and civilian agencies continue to evolve toward a structure that resembles the joint military service model. As stated before, within the three years since September 11, 2001, the steps which have been taken by the agencies have unified the interagency effort and have created a less restricted environment in which to operate. This is quite commendable considering the legislative process that brought about Goldwater Nichols required four years to lay the groundwork for change.

## **Chapter 3**

### **The FBI and a History of Joint Operations**

The FBI has a long tradition of working collaboratively with other agencies at all levels. Compared to any of the military services, the FBI is a small agency with an expansive mission that recognizes the need to engage federal, state, local, tribal, and private sector partners to achieve a unity of effort and decisive actions. This chapter will address how the FBI has fostered this unified effort throughout its much-respected history.

The Bureau of today traces its origins back to a time when the enforcement and investigative arm of the Attorney General of the United States was comprised of Federal Agents from other departments who were loaned to Department of Justice ad hoc. The country's strict adherence to the federalist philosophy of a small central government and reliance on the individual states to enforce laws limited the jurisdictional reach of the Department of Justice to very few areas of enforcement that were not already being addressed by the United States Marshal Service or the Border Patrol. In the rare cases that the Department of Justice required investigators, the Attorney General would

borrow Secret Service Agents or hire private investigators to conduct the investigation, generate prosecutorial reports, and present the facts in court.

Between the turn of the 20<sup>th</sup> Century and the outbreak of World War II, the country experienced an increase in crime and, in particular, crimes such as white slavery, bank robbery, and the interstate transportation of stolen vehicles affected the interstate commerce of the United States. Since the individual states did not possess the jurisdictional authority to pursue, investigate, arrest, or prosecute subjects outside of their respective jurisdictional boundaries, the federal legislators passed laws that gave this authority to the Department of Justice.<sup>14</sup> Along with the authority, the legislation also created a cadre of agents to work with, and in support of, the individual states.

From these humble and narrowly defined beginnings, the FBI understood early the need to establish cooperative working relationships with local, state and Federal agencies. Without such cooperation, this small group of agents, initially only thirty-four agents to enforce the laws within the entire United

---

<sup>14</sup> U.S. Department of Justice, Federal Bureau of Investigation, "History of the FBI" URL: <http://www.fbi.gov/libref/historic/history/origins.htm> . Accessed on 12 January 2005.

States,<sup>15</sup> could never have made an impact upon the criminal elements operating in such a lawless era.<sup>16</sup>

As the country and the economy grew, so did the need for additional laws to protect the citizens of the United States. One such law permitted the FBI to obtain federal arrest warrants for state and local fugitives who had fled to avoid prosecution. This tool gave rise to the famous FBI Top Ten list of violent offenders. The Bureau's goal for this program was not to arrest and prosecute the felons in Federal court but to empower state and local governments with a tool to bring hardened criminals, outside the jurisdictional reach of the states or municipalities, to justice. This program has evolved into an international effort that is referred to as the Violent Crimes Major Offenders Program, and is present in all one hundred and ten field and Legal Attaché offices around the world.<sup>17</sup>

As violent criminals were pursued and their crimes investigated, organized patterns emerged and became known as racketeering enterprises. These rackets were extremely profitable and the criminal enterprises, such as gambling, loan sharking, and contraband soon crossed state lines and jurisdictions. The FBI's ability to investigate and enforce

---

<sup>15</sup> U.S. Department of Justice, Federal Bureau of Investigation, "History of the FBI" URL: <http://www.fbi.gov/libref/historic/history/origins.htm> . Accessed on 12 January 2005.

<sup>16</sup> U.S. Department of Justice, Federal Bureau of Investigation, "History of the FBI" URL: <http://www.fbi.gov/libref/historic/history/lawless.htm> . Accessed on 12 January 2005.

<sup>17</sup> U.S. Department of Justice, Federal Bureau of Investigation, "History of the FBI" URL: <http://www.fbi.gov/libref/historic/history/rise.htm> . Accessed on 12 January 2005.



laws throughout the United States gave rise to Organized Crime Task Forces. These Task Forces were formed with state, local, tribal, and federal officers with the goal of creating a safer environment for the population to live in while also pursuing the strategic priorities of the United States Government. The effectiveness of these joint efforts was immediately noticed by all involved and soon became the model for Bureau programs and the Federal government as a whole. This legacy is seen whenever a major enforcement action is undertaken at any jurisdictional level. For example, the 2002 sniper shootings in the Northern Virginia, Maryland, and Washington D.C. area was investigated using a Task Force arrangement, headed by local authorities and supported by Federal and State agencies.

As with organized crime, the increased tempo of terrorist attacks against the United States or its citizens has opened the way for new members of the government to join the Task Force effort. Attacks against United States military personnel at Khobar Towers, Saudi Arabia, and on the USS Cole in the port of Aden, have placed FBI Agents side by side with military investigators and staffs in an effort to bring to justice the perpetrators of these deadly acts.

The embassy bombings in Africa brought the full force of the United States Government's national power against the terrorist organizations involved. Under the lead of the State

Department, the FBI, with the support of the United States military, facilitated a massive federal investigation and recovery effort in two locations hundreds of miles apart and thousands of miles from the United States.

Similar to an international response, the FBI manages the Domestic Emergency Support Team (DEST), which deploys at the direction of the Attorney General and Director of the FBI to locations throughout the United States. The DEST is an interagency rapid deployment team that is designed to provide experts to On-Scene Commanders faced with over-whelming challenges at a critical incident location. The team is comprised of personnel from the FBI, the Department of Defense, the Department of Energy, Health and Human Services, the Environmental Protection Agency, and the Department of Homeland Security. The FBI also maintains an additional eighteen seats on the DEST aircraft to accommodate other agencies such as the Treasury Department, the Nuclear Regulatory Commission, and the Department of Transportation, or to tailor the team for situations that may require an increase in the number of permanently assigned personnel.

Since the events of September 11, 2001, the Bureau has expanded its involvement with the interagency process and notably with the United States military. Terrorism has forced Combatant Commanders to expand their areas of interest thousands

of miles back to the continental United States due to the asymmetrical nature of the enemy and the elaborate support structure that maintains the terrorist networks. Neither the Bureau nor the military can view either agency's effort as independent, due to the adverse impact these actions may have on the goals of the nation. This new interdependence has generated a flexible relationship of supporting and supported roles for the FBI and the military. The Bureau now operates in a dimension where it views the enforcement efforts domestically as a supporting role to the warfighters around the world. For example, interviews conducted during FBI investigations can include questions that deal with force protection issues in support of coalition personnel in Iraq or Afghanistan.

The most profound example of the Bureau's expanded interagency involvement is the FBI's formation of Joint Terrorism Task Forces throughout the United States which are composed of 2300 members from 33 different federal agencies and countless state and local partners. Members represent the Department of Defense from the Defense Intelligence Agency, the Office of Special Investigation, the Naval Criminal Investigative Services, and the Criminal Investigation Division. These new members give both the FBI and the military an extended reach and synchronicity while also permitting all agencies an understanding of military and law enforcement objectives (which

can be diametrically opposite while in pursuit of the same strategic objective). For example, an FBI operation which is designed to watch and observe the actions of a suspect in an effort to learn more about a potential threat may run counter to the military's need to obtain and exploit any information this person may or may not possess. Working together, the FBI and the military can evaluate and plan the most beneficial actions to be taken that will not jeopardize an investigation while also securing the information required to protect life and support the military goals and objectives.

With the onset of military operations in Afghanistan and Iraq, the FBI found itself in a position it had not experienced since World War II. As the lead agency for terrorism investigations within the United States and internationally in instances where United States personnel or citizens have been targeted, the Bureau's mission now dovetailed with the military's mission to combat terrorism internationally. The integration of the FBI in the military planning process was achieved through the assignment of FBI Liaison Officers (LNO) to the affected Combatant Commanders. Utilizing the previously discussed Task Force philosophy and experience, the Bureau LNOs assimilated into the military staff and were able to inject investigative priorities within the planning process. Additionally, the military was afforded an opportunity to insert

priority information requirements that were needed to achieve the desired level of situational awareness. The most striking example of this unified effort was that while the FBI was conducting thousands of interviews of Iraqi Americans during the first hours of the war, Agents proceeded with the interviews knowing that the information obtained could save the lives of a United States service member engaged in battle.

The Bureau's involvement in Afghanistan also created never-before-envisioned missions such as the assignment of FBI Agents to the Guantanamo Bay Task Force or FBI investigations in Pakistan which were designed to assist the military in their search for Usama Bin Laden.<sup>18</sup> The Guantanamo Bay Task Force required the assignment of FBI Agents and Supervisors to the Naval Base on Guantanamo Bay, Cuba to assist the military with interviews of detainees and the subsequent investigation that resulted from the interviews. This new mission also prompted the creation of a new unit within FBI Headquarters called the Detainee Operations and Military Liaison Unit (DOMLU).

DOMLU was formed to provide program management oversight to FBI personnel embedded within the military. Currently, DOMLU coordinates the actions of FBI Liaison Officers assigned to joint military staff positions. Additionally, DOMLU coordinates

---

<sup>18</sup> "FBI and Pentagon Teaming in Pakistan?" CBSNews.com (United States), 13 July 2002, URL: <http://www.cbsnews.com/stories/2002/07/15/attack/printable515111.shtml>, accessed 12 January 2005.

the rotational assignments of FBI agents and support staff operating within the CENTCOM area of operations, logistical and communication support, and the integration of the FBI Counter Terrorism Divisions priorities within the operational planning of the military.<sup>19</sup> These Liaison Officers and forward-deployed personnel give the FBI, like the military, expanded reach to secure critical information to fulfill the nation's mission to detect, prevent, preempt, and disrupt terrorist acts against the United States.

The final aspect of the Bureau's joint interoperability that will be addressed in this chapter is that of the expanded Weapons of Mass Destruction (WMD) mission that the FBI will assume from the military in 2005. In the past, the Department of Defense coordinated all WMD responses within the National Capitol Region due to the response and mitigation assets organic to the Department. In 1999, the National Security Council directed the FBI to establish a render-safe capability for improvised nuclear devices, biological, and chemical weapons.<sup>20</sup> This change occurred in order to align the National Response Assets of the United States with the PDDs, NSDDs, and the National Response Plan (NRP) established by the Department of Homeland Security, and designates the FBI as the lead federal

---

<sup>19</sup> Daniel Powers, Supervisory Special Agent at U.S. Department of Justice, Federal Bureau of Investigation, interviewed by author, 21 December 2004.

<sup>20</sup> Render Safe is an operational term adopted to describe the actions taken by explosive experts to render an explosive device safe for movement and afford transport to a location where the device can be further destroyed.

agency for counter terrorism investigation and response within the United States. As defined within the December 2004 NRP, the FBI will assume the lead agency role for any WMD or Chemical Biological Radioactive Nuclear (CBRN) event and receive support and cooperation from other national assets such as the Departments of Homeland Security, Defense, Energy, State, Environmental Protection Agency, Health and Human Services, and others as identified.

If this WMD scenario were to be translated into Department of Defense joint terminology, the FBI Senior Official at the incident site would become the Joint Task Force Commander. The FBI C/JTF would form a battle staff, which would resemble one depicted in the NRP, the nation's standard operating procedure for critical incident response. The FBI Commander will establish a Joint Headquarters that will operate around a J-2 (Intelligence), J-3 (Investigations), J-6 (Communications and Information Management) and a robust group of Liaison Officers from various local, state, and Federal agencies that are reporting to the incident site. The J-2 and the J-3 in collaboration with the relevant Liaison Officers and tactical assets would form an Operational Planning Team and begin Crisis Action Planning to present Courses of Actions to the FBI Commander. In the event that the response is post-blast and the need to mitigate the effects of the incident is required, the

battle staff would be expanded to include Liaison Officers from consequence management assets and the Courses of Action will be evaluated against their potential impact upon the recovery actions at the crisis site.

Had the above scenario been discussed between two or more civilian crisis response agencies accustomed to the NRP and the unique functions of law enforcement and consequence management, the events would have been described using terms such as Federal Resource Coordinator, Unified Command, National Incident Management System, or Senior Federal Official. This scenario was offered as an example of how the different agencies of the United States Government come to the fight with their own established and culturally unique ways of operating and talking. With this comes the need to translate "agency speak" into a common language. Once the language barrier is eliminated, the agency's efforts closely resemble something that the military can understand as joint.



## Chapter 4

### The Interagency Process:

#### It's not broken; it's just not the military

This chapter will examine the possible reasons why there is a general consensus among military personnel, as depicted in their speech and writings, that the interagency process is broken. In addition, this section will also explore whether or not this perception by the military services is a product of a Groupthink dynamic within the closed culture of the military.

One of the cultural phenomena that occur within a close-knit organization is something that is referred to as "Groupthink." Groupthink, a term coined by psychologist Irving Janis in 1972, is a process that occurs when a dominant figure within a group or organization proposes a point of view or opinion, which may be inaccurate.<sup>21</sup> Due to the group's perception that the dominant figure's points are accurate, these potentially inaccurate views or opinions are incorporated by the organization as a whole.

---

<sup>21</sup> Em Graham, *A First Look at Communication Theory*, in *Communication Theory: A First Look*, online edition. (New York, NY: McGraw-Hill, Inc, 1997), URL: <http://www.afirstlook.com/archive/groupthink.cfm?source=archther>, accessed 20 January 2005.

The conditions which can encourage Groupthink are as follows: insulation of the group, high group cohesiveness, directive leadership, lack of norms requiring methodical procedures, homogeneity of members' social background or ideology, or high stress from external threats with a low hope of a better solution than the one offered by the leader(s). With the exception of a lack of norms requiring methodical procedures, the individual services and, more particularly, the joint community is a body that is highly susceptible to this thinking based upon the tenants of the theory. Specifically, this chapter will argue that the services have assumed a Groupthink mentality toward the interagency process.<sup>22</sup>

Using Janis' indicators from above, the joint culture exhibits the symptoms of Groupthink through the stereotypical views that the interagency process is broken. This statement is based upon a review of doctrinal publications and guidance distributed by the joint community for dealing with interagency operations. Specifically, Joint Publication 3-08 resonates with a tone that the military must step in to provide the leadership, organizational, and planning skills that it alone has mastered in order to save the country from the leaderless and ill-

---

<sup>22</sup> Wikipedia Encyclopedia. Online edition, under "Groupthink, Irving Janis"

prepared civilians of the Executive Branch.<sup>23</sup> Additionally, the joint community, through a self-imposed mission, has identified the remedial military training needed by the agencies that will bring this group more in-line with their big "purple" brothers.

Within the framework of the United States National Security Strategy, the elements of national power are a means to achieve our strategic objectives. These national assets are in place to influence others to act in the interests of the United States. The actions that are compelled by the military cannot be viewed as influence because the military possesses the lethal power of the United States and with this power the coercive effect to change an adversary's actions. Since the nation's kinetic power resides so squarely with the Department of Defense, as it should, the rest of the agencies of the government must develop their own unique tools and technique to achieve their respective missions. With these unique tools and techniques, a distinctive culture and language develops not unlike the unique culture and language of the military.

The challenge for the United States is how to mitigate the effects when military and agency cultures collide in an effort to achieve the same objective, while assuming that their respective approach to the challenge is the best one. Each of

---

<sup>23</sup> The authors' interpretation of the Joint Publication 3-08 concerning the recommendations presented to joint staff officers on dealing with the interagency process and the civilian agencies need for leadership during a critical incident.

these agency-specific approaches to achieving an objective may have its merits and potentially achieve the goal. However, because these approaches may be alien to either the military or agency culture, the actions are perceived by one or more as a failure in the making.

### **Joint Professional Military Education**

Unique to the culture of the military is the concept of Joint Professional Military Education (JPME). Through the mandate of Goldwater Nichols to become joint in nature, the educational programs and opportunities within the military have become the crown jewels of the services. The joint aspect of the education exposes service members to insights into the service culture of the Army, Navy, Air Force, Marines, and Coast Guard. These schools also afford United States officers the opportunity to engage coalition partners in cultural exchanges. What the schools do not achieve effectively yet is the cross-cultural exposure needed to dispel Groupthink stereotypes of the civilian agencies that is prevalent in the United States military.

This point is reinforced by instances where senior leaders of the Military Services publicly criticize the lack of coordination or unity of effort between the military and the

civilian agencies of the government. A case in point is that of the comments made by the then-Vice Chairman of the Joint Chiefs of Staff General Peter Pace, USMC, concerning the lack of FBI involvement in the JPME process and the need to include such members of the government as students in service and joint schools.<sup>24</sup> As an FBI student attending the Marine Corps Command and Staff College, I understood the Vice Chairman's statement in two ways. First, the Vice Chairman obviously had not been made aware of his audience, because the FBI is represented at the school, and he was unaware that the invitation to attend various service and joint military schools has been welcomed by the FBI. The second point was that the Vice Chairman had just nourished the very seed that would permit the Groupthink idea to bloom. Groupthink starts or is reinforced with a leader's opinion. Regardless of the facts, and because of the cultural unity of the group and the level of respect the group bestows upon the leader, the idea is given the fertile ground to flourish.

The statement by the Vice Chairman, of course, was not the genesis for the military's negative perception of the interagency process. However, the statement did reinforce the negative stereotypes toward non-military agencies for their perceived lack of cooperation in the interagency process that

---

<sup>24</sup> Peter Pace, General, USMC, Vice Chairman of the Joint Chiefs of Staff, speech presented to the Marine Corps/Naval Institute Forum 2004, Arlington, VA, 7 September 2004.

litter the Joint Service Publications and, unfortunately, serve as the introduction to the interagency process for the joint staff officers of today and tomorrow. When evaluating these two areas -- the Vice Chairman's statement and a service derived perspective of the interagency process -- it is easy to counter that the interagency is actually not broken but that the negative opinion is a myth that is evolving into conventional wisdom because of the tenets of Groupthink.

### **Groupthink**

The Groupthink point is supported well by a typical JFSC article published in September 2003 by three JPME students. The article, *"Achieving Unity of Effort: A Call for Legislation to Improve the Interagency Process and Continue Enhancing Inter-service Interoperability, So All May Labor As One"* was a collaborative writing effort authored by LT COL Guillermo Birmingham, CDR Luann Barndt, and MAJ Thomas Salo, field grade officers representing the Air Force, Coast Guard, and Army, respectively. This article was accepted as partial fulfillment of their coursework at the Joint Forces Staff College, Joint and Combined Warfighting School-Intermediate.<sup>25</sup> The thesis of the article is that, if the United States is to achieve the goals

---

<sup>25</sup> Birmingham and others, 1

and objectives defined within the National Security Strategy and the overall Global War on Terrorism (GWOT) the nation must enact legislation, similar to the Goldwater Nichols Act, which will mandate the unified effort of the civilian agencies of the government. The argument rests upon the notions that the civilian agencies are not operating collaboratively and that military models should be applied to the problem to bring about the required changes.<sup>26</sup>

An initial review of the article, from an FBI perspective, would immediately generate a reaction concerning perceived arrogance and ignorance of the authors. A military reader, on the contrary, might easily agree with the trio's argument and readily conclude that the interagency is broken and rudderless, drawing upon the existing cultural bias already established within the military services. However, a broader perspective would attribute what the agencies might view as ignorance is due more to naiveté as to how the rest of the government must work, while the perceived arrogance is more of a confident knowledge that their services' leadership skills and deliberate or crisis planning systems work to achieve their military mission.

The authors of this article initiate the argument in the title by suggesting that additional legislation is the key to

---

<sup>26</sup> Birmingham and others, 10

ensure that the agencies begin to work together. As was previously pointed out, however, Goldwater Nichols achieved a great deal because the legislation affected a single department with a single budget. If the authors' legislative proposal is to be acted upon, it would require the articulation of how, when, and for what purpose all the various agencies would operate in consort. However, what is left unanswered is how agencies such as the Departments of Education or Labor would integrate and leverage the military's operational plans. The envisioned interagency legislation would have to encompass all 151 government agencies and their budgets, regardless of their charter. The authors are somewhat presumptuous when offering the notion that the leaders of the various agencies do not have the foresight to know that a unified national -- not merely federal -- effort is needed to overcome the threats that face the United States without legislation similar to Goldwater Nichols.

The authors utilize the Department of Defense definition of interagency coordination as,

[T]he coordination that occurs between elements of the Department of Defense, and engaged United States Government agencies, NGOs [Non-Governmental Organizations] and regional and



international organizations for the purpose of accomplishing an objective.<sup>27</sup>

With the process defined from a military perspective, they argue that this legislation will promote cooperation among the executive branch agencies consistent with the framework defined within the various NSDDs, Homeland Security Presidential Directives, National Response Plan (NRP), and Federal Response Plan (FRP) referenced in their work. However, had these authors been better exposed to how the civilian agencies operate, they would have realized that the NSDDs, HSPDs and PDDs are directives, or in military terms, the direct orders from the President of the United States which require the agencies to integrate and support the lead federal agencies designated in the directives. In addition to the President's intent handed down through the various directives, the agencies are already provided with a standard operation procedure in the form of the National Response Plan. The NRP is the deliberate plan for the United States Government to respond to a vast number of potential situations. The Secretary of Homeland Security has also provided agencies at all levels of government with tactics, techniques, and procedures in the form of the National Incident Management System which has been developed to accommodate not only the seamless integration of federal agencies but also the

---

<sup>27</sup> Birmingham and others, 2

ability to integrate and employ state, local, tribal, and private sector agencies in a unified effort.

The trio then offers the Joint Interagency Coordination Group (JIACG) and Joint Interagency Task Force as models for the integration of federal agencies as supporting organizations to a higher Combatant Commander such as the Joint Forces Command or the United States Northern Command. However, the JIACG is an ad hoc group that has no formal structure or policy on the implementation or utilization of the group.

For their part, the lead federal agencies for counterterrorism preparedness and response, the DHS and the FBI, have expended considerable man-hours planning, organizing, and defining the manner in which the two agencies will respond to a critical incident or National Security Special Event (where the Department of Defense has been integrated and plays a supporting role). Through this combined effort, the FBI Joint Operation Center concept and the expanded NRP Joint Field Office, which builds upon the FBI JOC, have been trained, exercised, and operated no less than five times during 2004.

In defense of these JFSC students, an unbiased view of the interagency process may be hard to achieve when military doctrinal publications present the interagency situation as follow:

... [T]here is no overarching interagency doctrine that delineates or dictates the relationships and procedures governing all agencies, departments, and organizations in interagency operations. Nor is there an overseeing organization to ensure that the myriad agencies, departments, and organization have the capability and the tools to work together.<sup>28</sup>

The effects of Goldwater Nichols on the military have not been wasted on the civilian agencies. While the transformation of the Department of Defense has been clearly noted in academic articles and operational actions, the agencies have also recognized the benefits and transformed themselves even in the absence of specific legislation.<sup>29</sup> However, the reason this migration to joint operations among the agencies has been overlooked by the military is due to the tendency for closed cultures to adopt a Groupthink mentality. Staff Officers from the military services must be influenced to break this tendency to insularity and to engage in an educational pursuit to evaluate and overcome this bias so that the security of the United States can be achieved and not merely debated.<sup>30</sup>

---

<sup>28</sup> U.S. Department of Defense Joint Electronic Library: Joint Pub 3-08, *Interagency Coordination During Joint Operations Vol I*, CD-ROM Cornerstone Industries Inc, August 2004, I-4.

<sup>29</sup> Joint Pub 3-08 was published in 1996. Since this publication the United States and the Military has transformed at all level. Any argument concerning the interagency dilemma should not be supported by documentation that does not reflect the current configuration and missions of the various agencies.

<sup>30</sup> Interviews with military and agency personnel disclosed that at the tactical and strategic levels of the military, service members are aware of the benefit and actual integration of the agencies in operations and the military planning process. However, at the operational level, the integration of the agencies during the various aspects of the planning process is lacking. This is not a result of a lack of interest on the part of the staff but more of a lack of awareness of which agencies are available or who to encourage the integration. This is understandable from an FBI

## Chapter 5

*"If you deliberately plan on being less than you are capable of being, then I warn you that you'll be unhappy for the rest of your life."*

*Abraham H. Maslow*

### **The Road Ahead: Recommendations for Advancement**

The previous chapters were designed to analyze the misunderstood role of the civilian agencies and, specifically, the FBI within the joint service environment. The analysis also intended to highlight the fact that all elements of national power have alternating missions which vacillate between a lead and supporting role while striving to achieve the nation's strategic objectives. However, these shifting roles notwithstanding, each department and agency must understand the primary focus and the statutory requirements of the lead agency, which include the methods or limitations that are imposed upon the supported organization. For example, if during a low-threat operation within Afghanistan or Iraq, an FBI Agent is embedded with a military unit and this unit makes contact with a hostile

---

perspective considering that civilian government agencies do not operate at a level commensurate to the operational level of the military. Civilian agencies traditionally establish strategic policy from the Headquarters level, which in turn is pushed out to the field and acted upon at a tactical level.

force, according to the military rules of engagement, those assigned to the unit would be expected to provide suppressive or covering fires in support of a maneuvering element assigned the task of eliminating the threat. On the contrary, based upon the FBI's use-of-force policy -- the only doctrinal rules of engagement that an FBI Agent can operate under -- there is not an area that addresses the use of suppressive or covering fires. Instead, rounds fired by FBI Agents are to be directed at a specific threat, not a general area.

Continuing with this scenario, what would be the ramifications if an FBI Agent were to fall into the hands of an enemy combatant? Since the agent is not a member of the uniformed services, the Geneva Convention does not address the agent's rights or protections.<sup>31</sup>

Do these limitations automatically exclude the value of the agent's ability to exploit sensitive intelligence from a safe-house within theater or the ability that he or she brings to analyze post-blast evidence and establish patterns or techniques used to employ improvised explosive devices against United States personnel? Of course not. Conversely, do the limits of the Posse Comitatus Act mitigate the value of a service member on a Joint Terrorism Task Force or the fact that as a service member he/she can not function within the United States in the

---

<sup>31</sup> Powers, 21 December 2004

same capacity as their FBI or law enforcement counterparts? If such institutional limitations are understood and accommodated, the synergy between the military and civilian capabilities will flourish.

These examples give strong support for the need for both DOD and the civilian agencies to gain a better mutual understanding of our current operational climate. The following are some points that must be addressed to ensure a more cohesive and unified future for the Global War on Terror.

The first area of improvement for the FBI would be to securely establish the Detainee Operations and Military Liaison Unit as the principal point of contact for the Military Regional and Combatant Commanders. This action will enable both the military as well as the Bureau to efficiently direct all military/FBI coordination requirements to a single point of contact. Currently, DOMLU manages the staffing and rotational requirements for FBI personnel into the Combatant Commander's area of operation. Conversely, the DOMLU is not the sole point of contact within the FBI for all deliberate or crisis action planning with the regional commanders.

DOMLU is now charged with the mission of managing the FBI Liaison Officers (LNO) assigned to the Combatant Commanders. These LNOs should be the contingency planners and provide FBI policy and objective guidance to the planning staff of the

regional commands. The policy and objectives would originate with subject matter experts within the various criminal, counter terror or counter intelligence divisions of the FBI, but would provide the joint community, via DOMLU and the LNOs, a single point of contact to draw agency-specific priorities and objectives during the planning process. Additionally, this structure would ensure that the military would have the ability to pass priority intelligence to the law enforcement community through a single stateside unit with the certainty that the information was passed accurately.

The military can also assist in the process by establishing Joint Staff Officer billets with the FBI and embed these officers with DOMLU. These embedded officers would provide the insight into the military planning process and specifically the Joint Operations Planning and Employment System (JOPES). The military's intricate system to mobilize, deploy, employ, sustain and redeploy personnel is not a task that a civilian agency can integrate without a facilitator such as a joint officer.

Awareness must be the next stop along this road to better integration with the civilian agencies. If the only tool you have is a hammer, you tend to see every problem as a nail.<sup>32</sup> If the Combatant Commanders are not asking about the FBI's enabling

---

<sup>32</sup> Abraham H. Maslow, American Psychologist, 1908-1970. Cite in Wikiquote under "Abraham Maslow". URL: [http://en.wikiquote.org/wiki/Abraham\\_Maslow](http://en.wikiquote.org/wiki/Abraham_Maslow). Accessed on 30 April 2005.

capabilities during the review of their Theater Security Cooperation Plan or if the FBI LNOs are not presenting these alternatives to the Combatant Commander, every problem will continue to look like a nail. The security and stability operations in the Horn of Africa could be expanded by the assignment or detailing of FBI Counterterrorism Agents and mobile law enforcement trainers to assist CENTCOM with their operation.<sup>33</sup> Additionally, these agents would facilitate the reach-back needed by the CJTF Commander to integrate critical intelligence secured within the Horn of Africa with the intelligence holdings of the United States while potentially filling gaps within the nation's intelligence priorities.

The challenge of expanding the knowledge of both the military and FBI personnel engaged in the GWOT is no different than that which the military faced with the Goldwater Nichols requirements. By increasing the number of Joint Professional Military Education slots available to the agencies in all DOD schools, the military gains the opportunity to expose hundreds of potential future joint officers to the interagency. These educational opportunities will also immerse civilian leaders in the joint language and thought process of the military. These

---

<sup>33</sup> Craig Huddleson, Colonel USMC. "Views of JTF HOA: An Email From the Front Lines", 15 October 2004. Cited in "Warfighting...From the Sea: Joint Warfighting Syllabus Volume 1. (Quantico, VA, 2004) 102.



civilian leaders should, in turn, become the next liaison officers assigned to the joint staff billets created.

Staffing, like communication and funding, is a continuous challenge for any civilian agency or military service. However, staffing matters such as the FBI Liaison Officer vacancies in Joint Forces Command, Pacific Command and Southern Command must become a priority matter if the interagency process is to flourish. The current operational tempo does not permit the endless games of "telephone tag" that the Combatant Commander's staff must endure to locate a Bureau decision-maker. Additionally, the military must also accept the requirement to have their Liaison Officers, assigned to various FBI offices and Joint Terrorism Task Forces, become proactive advisors or at least conduits for the various Combatant Command staffs to facilitate the DOD mission.

While training was addressed earlier with respect to JPME, the training issue should not stop at such a superficial level. Training requirements for the FBI and the military should cross vast disciplines such as logistics, force protection, Chemical Biological Radiological and Nuclear (CBRN), Federal rules of evidence and criminal procedures, crime scene processing and, most importantly, JFCOM's mobile training assistance with joint operations.

To facilitate these training needs, the military and the FBI must start interacting and integrating during the mobilization and train-up cycle. If the FBI continues to rotate personnel on a 90-day cycle, the Bureau should begin projecting individual mobilization at least 18-24 months in advance so that key Bureau personnel can start their interaction with projected CENTCOM JTF personnel stateside.

The areas of Federal rules of evidence, criminal procedures, and crime scene processing were mentioned for a specific reason. Regardless of where the FBI deploys, the Bureau always operates under the guidelines established by the courts, legislature, and, most importantly, by the Constitution of the United States. If, in fact, the FBI begins a process to project personnel rotations more commensurate with the military, the FBI will have the opportunity to provide advanced law enforcement training to military units such as the 4<sup>th</sup> Marine Expeditionary Brigade Anti-Terrorism or Military Police units from the Army, Air Force or Marines. During this training process, military units can cross-train with FBI personnel in military-specific tasks and unique law enforcement functions in a garrison environment. These pre-deployment training sessions will establish working relationships, garner a level of trust, and expose the capabilities and limitations that both groups bring to the global fight against terror.

During a recent speech at the Marine Corps Command and Staff College, Colonel Craig S. Huddleston, Chief of Staff, Joint Task Force, Horn of Africa, summed up the attitude that civilian and military leaders should take away for today's lessons of life. Each group or unit brings to the fight its unique capabilities and strengths. Just because the unit does not possess the full capabilities or resemble the joint force they should never be excluded from the fight. The leader's job is to find the task that permits the unit to excel and, in turn, relieve the burden imposed upon other forces.<sup>34</sup>

---

<sup>34</sup> Craig Huddleston, Colonel USMC, lecture presented to the students and staff of the USMC Command and Staff College, Quantico, VA 13 January 2005.

## **Appendix A**

The attached line and block charts are provided as a means to expose the interagency approach to crisis response and Task Force structures. Of significance is the integration of various disciplines such as the military or non-government agencies within the command post or joint field office. These structures have been exercised and operated at varied levels of response such as the 2005 Presidential Inauguration, the G-8 Summit in Georgia, and both political party conventions in New York City and Boston, MA.

FIGURE 1. FBI command post

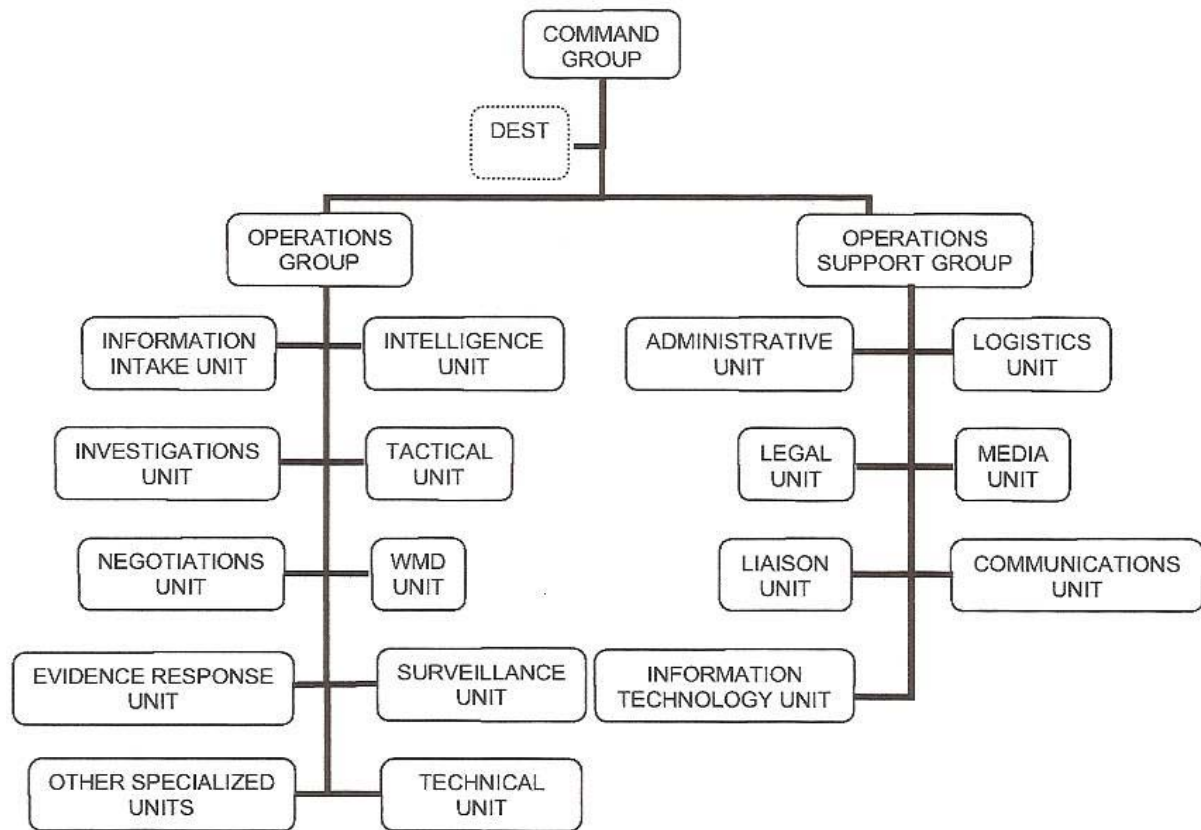
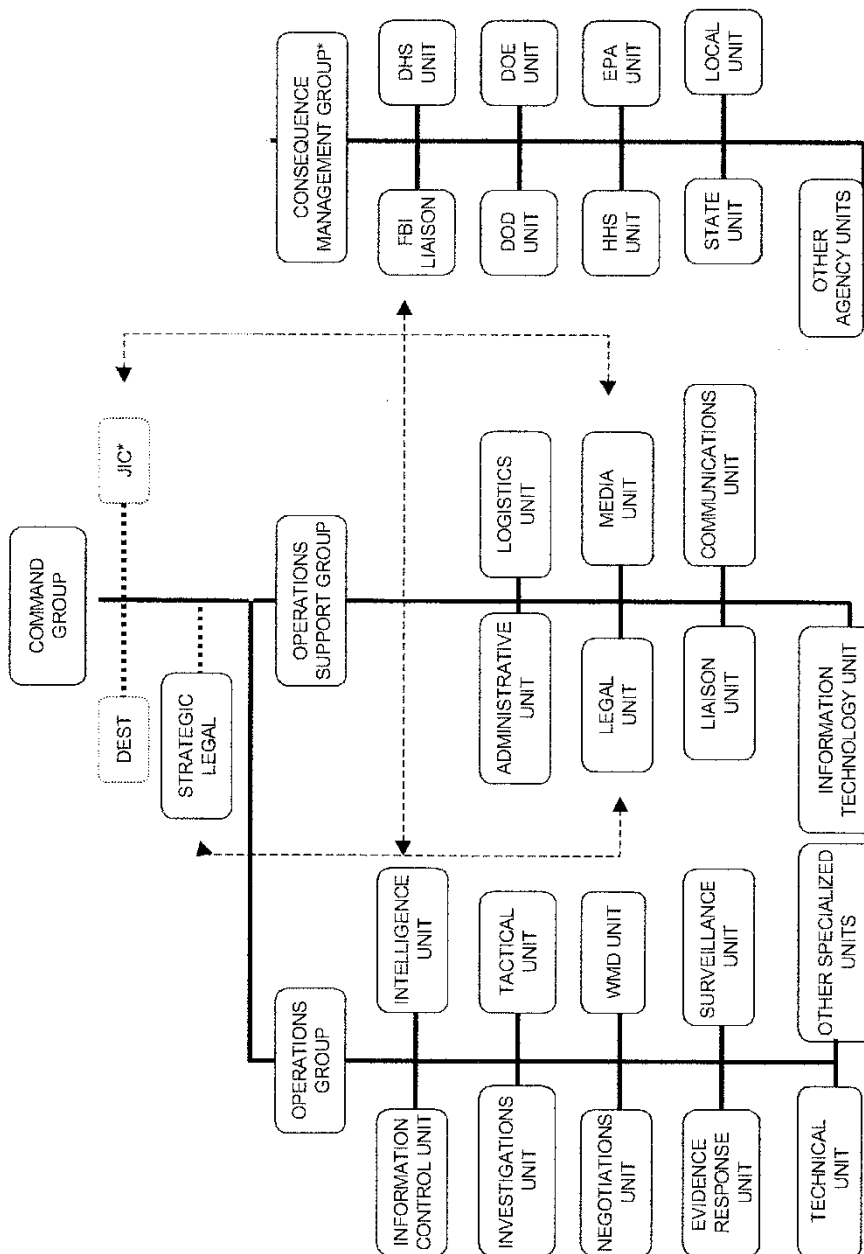
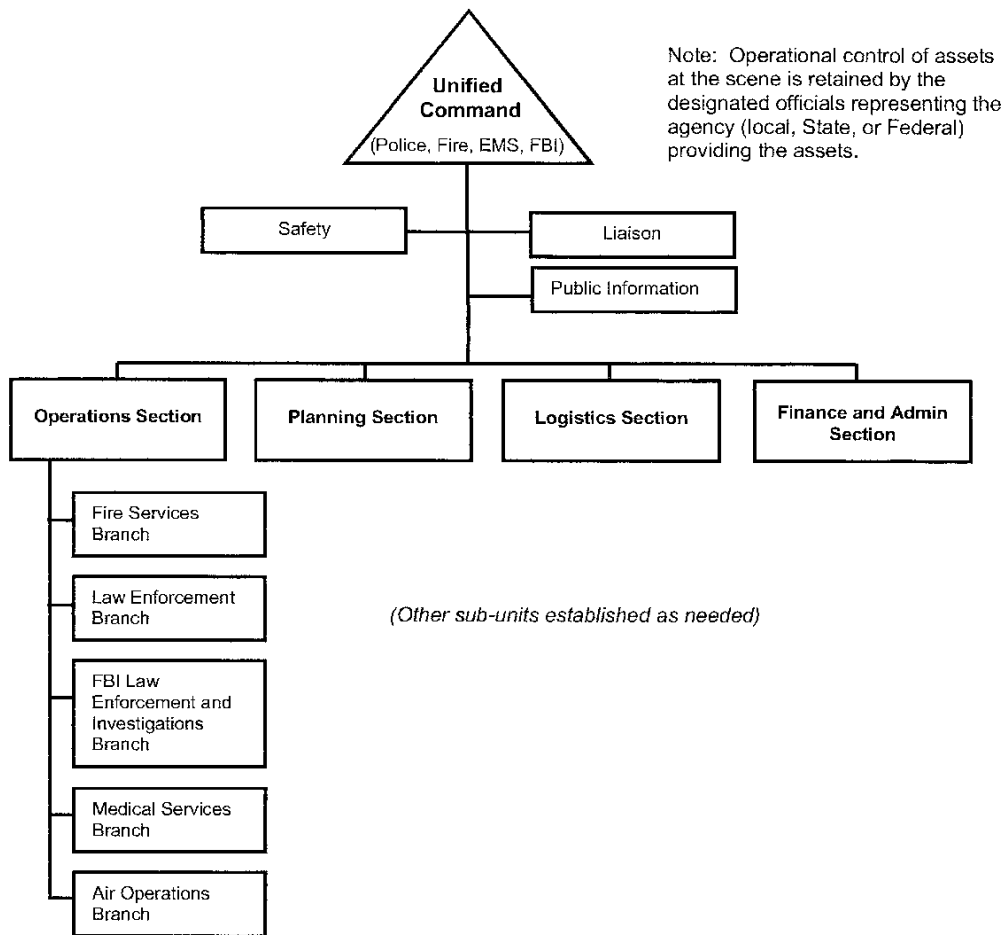


FIGURE 2. Joint Operations Center



\* While the Operations Group and Operations Support Group remain components of the JOC when it is incorporated into the JFO, the JIC and Consequence Management Group will be merged into the appropriate JFO staff components, if established.

FIGURE 3. On-scene coordination



## Bibliography

Birmingham, Lt Col Guillermo, CDR Luann Barndt, and MAJ Thomas Salo. *Achieving Unity Of Effort: "A Call for Legislation to Improve the Interagency Process and Continue Enhancing Interservice Inter-Operability So All May Labor As One."* Norfolk: N.p, 2003.

Branigin, William. "Senate Report Blasts Intelligence Agencies' Flaws." Washington Post 09 Jul 2004. <washingtonpost.com> 13 Jan 2005

Center for Strategic and International Studies. "Beyond Goldwater-Nichols: Defense Reform for a New Strategic Era." Washington, DC, N.p. March 2004.

Department of Homeland Security. *National Response Plan*. Washington, DC: GPO, 2005.

Department of Homeland Security. *National Response Plan Implementation*. Washington, DC: N.p. December 2004.

DiFede, Todd. Supervisory Special Agent at U.S. Department of Justice. Interview by Author, 21 December 2004.

Erckenbrack, Adrian A., and Aaron Scholer. "The DOD Role in Homeland Security." Joint Forces Quarterly 35 (2004): 34-41.

Franks, Tommy, and Malcolm McConnell. "American Soldier." 1st ed. New York: HarperCollins, 2004.

Griffin, Em. "A First Look at Communication Theory." 3<sup>rd</sup> ed. New York: McGraw-Hill, 1997. <www.afirstlook.com> 20 January 2002.

Harp, Jeffery. Supervisory Special Agent at U.S. Department of Justice. Interview by Author, 21 December 2004.

Huddleston, Craig S. COL USMC. CJTF, Horn of Africa. Lecture presented at the United States Marine Corps University. Quantico, VA, 13 January 2005.

Huddleston, Craig S. COL USMC. Email "An Email From the Front" Addressee Unknown. Cited in *Joint Warfighting Syllabus Volume 1*, United States Marine Corps University, Command and Staff College. Quantico, VA, 2005.



Irvin, Rayford O. Special Agent at U.S. Department of Defense. Interview by Author, 21 December 2004.

Janis, Irving. *Groupthink*, 2d ed., Houghton Mifflin, Boston, 1982.

Joint Chiefs of Staff, Joint Forces Staff College Pub 1. *The Joint Staff Officer's Guide*. Washington, DC: GPO, 2000.

Joint Chiefs of Staff, Joint Pub 0-2. *Unified Action Armed Forces*. Washington, DC: GPO, 2001.

Joint Chiefs of Staff, Joint Pub 1-0. *Doctrine for Personnel Support to Joint Operations*. Washington, DC: GPO, 1998.

Joint Chiefs of Staff, Joint Pub 3-08. *Interagency Coordination During Joint Operations, Volume I*. Washington, DC: GPO, 1996.

Joint Chiefs of Staff, Joint Pub 3-35. *Joint Deployment and Redeployment Operations*. Washington, DC: GPO, 1999.

Maxwell, Ricky. Supervisory Special Agent at U.S. Department of Justice. Interview by Author, 21 December 2004.

Morgan, Mark. Supervisory Special Agent at U.S. Department of Justice. Interview by Author, 20 October 2004.

Pace, Peter, General, USMC, Vice Chairman of the Joint Chiefs of Staff. Speech presented to Marine Corps Foundation/Naval Institute. Arlington, VA, 7 September 2004.

Powers, Daniel. Supervisory Special Agent at U.S. Department of Justice. Interview by Author, 21 December 2004.

Rosenberg, Carol. "U.S. Prison In Cuba Faces Time Of Scrutiny." Miami Herald 11 January 2005, A1.

U. S. Congress, National Commission on Terrorist Attacks Upon the United States. *"The 9/11 Commission Report."* 1st ed. New York: W. W. Norton & Company, 2004.

U. S. President. Executive Order 13228. "Establishing the Office of Homeland Security and the Homeland Security Council." 8 October, 2001.

U. S. President. Executive Order 13354. "National Counterterrorism Center." 27 August, 2004.

Webster's II New College Dictionary. 1st ed. Boston: Houghton Mifflin Company, 2001.